

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DENNIS FLORER,

Plaintiff,

v.

DEVON SCHRUM, et al.,

Defendants.

CASE NO. C11-5135 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge. Dkt. 109. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Defendants’ motion for summary judgment (Dkt. 102) is **GRANTED** and Plaintiff’s claims are **DISMISSED WITH PREJUDICE** except Plaintiff’s claims related to: (1) December 16, 2009 transfer and denial of custody promotion; (2) June 26, 2010 and July 3, 2010 infractions; (3) June 17, 2010 placement and retention in segregation; (4) November 29, 2010 placement and retention in segregation; and (5) March 2, 2011 transfer back

1 to WSP., which are **DISMISSED WITHOUT PREJUDICE** for failure to
2 **exhaust administrative remedies;**

3 (3) In forma pauperis status is revoked for purposes of appeal; and

4 (4) The clerk shall enter judgment for Defendants against Plaintiff and close
5 this case.

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7 Dated this 9th day April, 2013.

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10 BENJAMIN H. SETTLE
11 United States District Judge
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